

The matter was introduced by Public Works Director Jack Ronsko. In his introduction of the matter, Mr. Ronsko, Staff members and representatives of CH₂MHill outlined the purpose of the hearing and explained the approval and decision process. The project review, including 1) a recap of the project and alternatives, 2) the environmental concerns and, 3) other concerns, peak hour design, history of traffic growth, and acquisition criteria was presented by staff. An indepth presentation

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regarding the recommended project, which included 1) Mitigation measures, 2) details of project/ comparison to the "Proposed Project" and 3) cost comparisons was presented by Staff. Diagrams of the subject area were presented and representatives of CH₂MHill and Staff responded to questions as were directed by Council.

The following persons are in part, a list of those who presented testimony on the matter:

- a) Gerhard Meinecke, Owner of property at 1240, 1241, and 1244 S. Stockton Street, Lodi
- b) Gene Yarborough, 8404 E. Orchard Rd., Lodi
- c) Beckie Field, 512 S. Stockton Street, Lodi, speaking on behalf of her grandmother.
- d) Cecil Mumbert, 20 S. Crescent St., Lodi
- e) Wanda Walther, 501 S. Stockton St., Lodi
- f) Patty Allen, 422 S. Stockton Street, Lodi
- g) Steve Culbertson, 1237 S. Stockton Street, Lodi
- h) Mrs. Stritzel, 200 Eden Street, Lodi
- i) Mrs. Clara Walther, 501 S. Stockton Street, Lodi
- j) Mr. Herb Lehr, 1250 Edgewood Drive, Lodi
- k) T. O. Smith, 200 E. Eden Street, Lodi
- l) Debbie Scallorn, 1131 S. Stockton Street, Lodi

A complete list of those giving testimony are included in the full transcript of these proceedings.

The full proceedings of this public hearing were recorded by a qualified reporter and a full transcript of these proceedings are on file in the office of the City Clerk.

A very lengthy discussion followed with questions being directed to Staff.

On motion of Councilman Katnich, Murphy second, Council certified the adequacy of the EIR for the Stockton Street Improvement Project, Kettleman Lane to Lodi Avenue.

STOCKTON STREET
IMPROVEMENT
PROJECT,
KETTLEMAN LANE
TO LODI AVENUE

Councilman Katnich then moved that Stockton Street, Kettleman Lane to Lodi Avenue should be left as is. The motion died for lack of a second. Following additional discussion, Council, on motion of Councilman Hughes, Murphy second, by the following vote determined that the City retain the overall Master Plan for Stockton Street (80 foot right-of-way), that the "Recommended Plan" as proposed by staff be adopted in general, and further that in respect to this alternate, it was determined that Stockton Street from Tokay north to Lodi Avenue be left at its present curb to curb width, that the necessary resurfacing be done, that on-street parking at its present level be retained, and that only the necessary curb and gutter replacement work be done in this area:

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Ayes: Councilmen - Hughes, Murphy,
Pinkerton, and McCarty

Noes: Councilmen - Katnich

Absent: Councilmen - None

RECESS

Mayor McCarty declared 5 minute recesses at 8:15 p.m. and 9:25 p.m. and the Council reconvened at 8:20 p.m. and 9:30 p.m. respectively.

820 S. CLUFF
AVENUE REZONED
FROM R-1 TO M-1

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the public hearing to consider the Planning Commission's recommended approval of the request of Aladdin Real Estate on behalf of Glen and Hazel Houston to rezone the parcel at 820 South Cluff Avenue (i.e. APN 049-070-14) from R-1, Single-Family Residential to M-1 Light Industrial and certification of the filing of a Negative Declaration on the project by the Community Development Director.

ORDINANCE NO.
1251 INTRODUCED

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area and responded to questions as were posed by the Council.

Speaking on behalf of the proposed rezoning was Mr. Jim Gerard, Aladdin Real Estate, 330 South Fairmont Avenue, Lodi.

There being no other persons in the audience wishing to speak either in favor or in opposition to the matter, the public portion of the hearing was closed by Mayor McCarty.

NEGATIVE DECLARA-
TION CERTIFIED

On motion of Councilman Pinkerton, Murphy second, Council certified the filing of a Negative Declaration on the request of Aladdin Real Estate on behalf of Glen and Hazel Houston to rezone the parcel at 820 South Cluff Avenue from R-1 to M-1.

Further, Mayor Pro Tempore Murphy moved for introduction of Ordinance No. 1251 - Ordinance amending the Official District Map of the City of Lodi, thereby rezoning the parcel at 820 South Cluff Avenue (i.e. APN 049-070-14) from R-1, Single-Family Residential to M-1, Light Industrial. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

PLANNING COM-
MISSION

A report of the February 8, 1982 Planning Commission meeting was given as follows:

The Planning Commission:

PROPOSED RE-
ZONING OF KENNEDY
RANCH SUBDIVISION

Recommended approval of the request of Ted Katzakian, et al., to rezone the Kennedy Ranch Subdivision located on the west side of Lower Sacramento Road, northerly of the future extension of West Elm Street from U-H, Unclassified Holding, to P-D(23), Planned Development District No. 23, with the following conditions:

- a) That the density of the areas designated for cluster housing be a maximum of 15 units per acre;
- b) That the cluster housing areas conform to the requirements of the City's R-GA, Garden Apartment Residential District, except for density;

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- c) That the single-family residential areas conform to the City's R-2, Single-Family Residential District; and
- d) That the project conform to the Specific Plan for Lower Sacramento Road between West Turner Road and West Lodi Avenue.

On motion of Mayor Pro Tempore Murphy, Hughes Second, the heretofore listed matter was set for Public Hearing at 8:00 p.m. on March 17, 1982.

Council further asked that this matter be discussed at an Informal Informational Meeting prior to that date.

The Planning Commission also:

ITEMS OF INTEREST

1. Approved the request of Luis Arismendi on behalf of Grupe Communities for a Tentative Subdivision Map and Use Permit for a 3.604 Acre, 56-Unit Condominium project on Lot 39, Lakeshore Village, Unit No. 1, in an area zoned P-D(21), Planned Development District No. 21.
2. Approved the request of Ted Katzakian, et al., for the approval of the Tentative Map of Kennedy Ranch, an 88 acre, 623 Unit residential development proposed for the west side of Lower Sacramento Road, northerly of the future extension of West Elm Street.
3. Approved the request of Baumbach and Piazza Consulting Engineers, on behalf of Sanguinetti and Arnaiz for a Revised Tentative Parcel Map to create Parcels "A", "B" and "C" and to add flood plain area to Lots 20 and 24 through 32, in the Mokelumne Village Subdivision.
4. Extend the expiration date of the Tentative Subdivision Map of Teresi Industrial Park until July 31, 1983.
5. Determined that Zoning Hardships existed and approved the request of Terry Piazza for variances to reduce proposed Parcel "A" from 4000 square feet to 2950 square feet and to reduce the side yard requirement from five feet to four feet at 315 Cypress Street in an area zoned R-MD, Medium Density Multiple-Family Residential.
6. Extended for six months the Use Permit for an electronic games center at 215 North Ham Lane in the Lakewood Mall Shopping Center.
7. Recommended that the San Joaquin County Development Committee approve the request of Baumbach and Piazza, Consulting Engineers, on behalf of David Sproul to subdivide a 28.6 acre parcel into two parts with Parcel "A" containing 7.6 acres and Parcel "B" containing 21.61 acres located on the northeast corner of State Route 12 (i.e., Victor Road) and the Central California Traction Company.

COMMUNICATIONS
CITY CLERK

PUC APPLICATIONS

City Clerk Reimche apprised the Council that a letter had been received from PG&E giving notice that on January 29, 1982, it filed application No. A 82 01 59 seeking authority to increase electric and decrease gas rates and charges under the Solar Financing Adjustment.

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RATE MODIFICATION
FILED BY LODI
AMBULANCE SERVICE

City Clerk Reimche presented a letter from the Lodi Ambulance Service, Inc. stating that in accordance with the City of Lodi Code Section 2A-3, that firm was filing a 30 day notice to change and modify their rates. Following a lengthy discussion with questions being directed to Perry Schimke, Controller, Lodi Ambulance Service who was in the audience, Mayor McCarty requested that Mayor Pro Tempore Murphy and Perry Schimke meet to discuss the subject rate modifications and directed the City Clerk to place the item on the agenda for the next Council meeting.

PUC APPLICATIONS

City Clerk Reimche informed the Council that a letter had been received from PG&E giving notice that in Application No. 82-02-10, they have requested authorization under their Gas Adjustment Clause to revise their gas service tariff effective April 1, 1982 to reflect gas costs and to amortize the Gas Code Balance Account overcollection.

Further that a letter had been received from PG&E giving notice that in Application No. 82-02-09, they have requested authorization effective April 1, 1982, to implement an Electric Rate Stabilization Plan to decrease electric rates under the ECAC tariff.

CLAIMS

Following introduction of the matter by the City Clerk, Council on motion of Mayor Pro Tempore Murphy, Hughes second, denied the claim filed on behalf of Chet Flem and referred the matter back to R. L. Kautz and Company, the City's Contract Administrator.

ABC LICENSES

City Clerk Reimche presented the following information regarding ABC License Applications:

- a) Application received from Beacon Oil Company P-12, 401 West Kettleman Lane, Off sale Beer and Wine.
- b) Application received from Diane/Gary Hiatt and Barbara/Noel Hiatt, The Stuffery #6, 550 S. Cherokee Lane, Suite J, Lodi, On-sale Beer and Wine Eating Place.

PUBLIC HEARING SET
FOR LOCKEFORD
STREET RECONSTRUCTION PROJECT

On motion of Mayor Pro Tempore Murphy, Pinkerton second, Council set the Public Hearing for Lockeford Street Reconstruction, Ham to California for an adjourned regular meeting to be held March 10, 1982 at 8:00 p.m.

City Clerk Reimche presented a check from the "old" Lodi High School Site Committee in the amount of \$600.00. Mayor Pro Tempore Murphy colored in the appropriate number of blocks on the graph indicating total contributions received to date.

SPARC TERMS

Council was apprised of the following results of the drawing by SPARC Commission members for their terms of office:

Leonard Bull	1/1/86	Don Kundert	1/1/85
Ron Judson	1/1/84	Roger Stafford	1/1/83
Fred Baker	6/30/82		

Following introduction of the matter by the City Clerk, Council, on motion of Mayor Pro Tempore Murphy, Hughes second, supported the San Joaquin County Board of Supervisors efforts in establishing

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JET SERVICE
BETWEEN STOCKTON
AND LOS ANGELES
ENDORSED

jet service between the City of Stockton and Los Angeles and endorsed the Boards efforts before the Civil Aeronautics Commission to grant Pacific Express Airlines to be the provider of such service. The City Clerk was directed to prepare a letter to the San Joaquin County Board of Supervisors indicating its support of this matter.

Council was apprised that in working with the legal description and conditions for advertising of the Scenic Overlook for sale, it had come to Staff's attention that the land presently is zoned "Flood Plain" even though the property is high enough not to be part of the actual flood plain.

S.O.L. FLOOD PLAIN
ZONING REFERRED TO
PLANNING
COMMISSION FOR
RECONSIDERATION

On motion of Councilman Katnich, Murphy second, the matter was referred to the Planning Commission for consideration of the rezoning.

COMMENTS BY CITY
COUNCILMEN

Mayor McCarty, with the concurrence of the Council, on motion of Councilman Hughes, Pinkerton second, made the following appointments:

APPOINTMENTS TO
VARIOUS BOARDS AND
COMMISSIONS

CITY OF LODI ECONOMIC DEVELOPMENT COMMISSION

1. Commercial (Business Person) - Bill Foust, President, Pacific Welding Supply
2. Development - Weldon L. Moss - Moss and Craig, Commercial Real Estate
3. Real Estate - Russell Larkin, Vintage Realty Salesman
4. Financial - Robert Gray - Bank of Stockton, Vice-President, Manager
5. Architecture/Engineering - Terry Piazza, Baumbach and Piazza
6. Accountancy - Ronald D. Slate, Accountant
7. Industrial - Norbert Hyske, Plant Manager, Valley Industries
8. Representatives of the San Joaquin County Economic Development Agency - Bob Spoor and Cecil Dillon.

It should be noted that pursuant to the Resolution adopted by the Council establishing this Commission, there will be a drawing as to the length of terms for these Commissioners.

Mayor McCarty, with the concurrence of the Council, on motion of Mayor Pro Tempore Murphy, Pinkerton second, appointed Kenneth Heffel to a 4 year term expiring December 31, 1985 to the San Joaquin Local Health District as Lodi's representative on its Board of Trustees.

QUESTIONS RAISED
REGARDING DOWN-
TOWN ASSESSMENT
DISTRICT

Mr. Terry Knutson, 29 North Allen Drive, Lodi addressed the City Council regarding his concerns regarding the Downtown Assessment District. Mr. Knutson asked for a public forum on the matter, the establishment of ground rules, and a full explanation of particular questions he raised. A very lengthy discussion followed with questions being directed to Staff and to Mr. Knutson. Mayor McCarty requested that Mr. Knutson meet with City Manager Graves and City Attorney Stein regarding this matter.

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REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Mayor Pro Tempore Murphy, Pinkerton second, were approved by Council.

* * * * *

CLAIMS 11-1-81

CLAIMS WERE APPROVED IN THE AMOUNT OF \$640,500.09

MINUTES

THE MINUTES OF JANUARY 20, 1982 WERE APPROVED AS WRITTEN.

LOCKEFORD TO
TURNER ROAD

Council was apprised that the contract for "Church Street Improvements", which had been awarded to Teichert Construction of Stockton on July 15, 1981 in the amount of \$277,373.60 had been completed in substantial conformance with the plans and specifications approved by the City Council.

ACCEPTANCE OF
"CHURCH STREET
IMPROVEMENTS"

Council accepted the improvements in "Church Street Improvements, Lockeford to Turner" and directed the Public Works Department to file a Notice of Completion thereon.

ACCEPTANCE OF
CENTRAL AVENUE
STREET IMPROVE-
MENTS/EDEN STREET
IMPROVEMENTS

Council was apprised that the contract which had been awarded to Teichert Construction of Stockton on August 5, 1981, in the amount of \$149,132.30 for "Central Avenue Street Improvements/Eden Street improvements had been completed in substantial conformance with the plans and specifications approved by the City Council.

Council accepted the improvements in "Central Avenue Street Improvements/Eden Street Improvements" and directed the Public Works Department to file a notice of completion with the County Recorder's office.

SPECIFICATIONS
APPROVED FOR THE
PURCHASE OF WOOD
UTILITY POLES
APPROVED

Council approved the specifications for 61 (various size) wood utility poles and directed the purchasing agent to advertise for bids thereon.

SPECIFICATIONS FOR
MAIN SWITCHBOARD
SALAS PARK
APPROVED

Council approved the specifications for the purchase of a main electrical switchboard for Salas Park and authorized the purchasing agent to advertise for bids thereon.

AWARD - MODIFICA-
TIONS AND REPAIRS
OF WATER/SEWER
BOOM TRUCK

City Manager Glaves presented the following bids which had been received for the rebuilding of derrick/boom truck #116:

	<u>BIDDER</u>	<u>AMOUNT</u>
RES. NO. 82-16	Utility Body Company	\$10,047.21
	Heil Equipment	\$10,503.71

On recommendation of the Assistant City Manager, Council adopted the following resolution:

RESOLUTION NO. 82-16

Resolution awarding the bid for the rebuilding of Derrick/Boom Truck #116 to Utility Body Company in the amount of \$10,047.21.

* * * * *

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ACTION DEFERRED ON
REQUEST FOR
SIDEWALK INSTALLA-
TION ON SUNSET
DRIVE

A report regarding sidewalk installation under the Improvement Act of 1911 as prepared by the City Clerk was presented for Council's perusal. A lengthy discussion followed with questions being directed to the Assistant City Manager, City Attorney and the City Clerk. Council deferred action regarding the request for sidewalk installation on Sunset Drive for additional information from the City Clerk and City Attorney relative to the possibility of such improvements being mandated at the time of change of property ownership.

AGENDA ITEM
DEFERRED TO NEXT
REGULAR MEETING

With the tacit concurrence of the City Council, Agenda item "i" - "Investment of City funds with banking institutions who in turn invest in foreign markets" was continued to the next regular Council meeting.

AGREEMENTS FOR
CASH SECURITIES
APPROVED

Council was apprised that the City allows developers to deposit with the City, cash in the form of passbook savings accounts or time certificates as improvement securities for development. In the past, these securities have normally been deposited as part of a subdivision and the agreement has been submitted to the Council as part of the Subdivision documents. These forms of guarantees now being used for work being done under an encroachment permit which requires no other City Council action. In order to reduce the time of processing and the amount of paperwork, it is recommended that the City Council give the City Manager and the City Clerk the authority to approve and execute these agreements.

Council, on motion of Councilman Pinkerton, Murphy second, authorized the City Manager and City Clerk to approve and enter into agreement concerning the deposit of cash or time certificates as improvement securities for developments.

REQUEST OF BALDWIN
OLDS/BUICK, INC.
TO LEASE CITY
STREET, E. WALNUT,
WHICH DEAD ENDS
AT THE RAILROAD
PROPERTY

Following introduction of the matter and Council discussion, Council, on motion of Councilman Pinkerton, Murphy second, approved the request of Baldwin Olds, Buick, Inc. to lease that portion of East Walnut Street, Lodi which dead ends at the Railroad property, on a month to month basis for the sum of \$50.00 per month, directing the City Attorney to draw up an appropriate agreement and that all work within the public right-of-way shall require prior approval and shall require the issuance of a City of Lodi Encroachment Permit.

Council was apprised that:

The allocation of 12MW of power to the City of Lodi has received final approval and has been published in the Federal Register. On February 10, 1982, Mr. Curry and City Manager Graves met with the WAPA staff to review a draft of the contract which we anticipate will be in final form by the March 17 meeting of the City Council. WAPA staff does not expect any substantive changes in the preliminary draft, but until it is final, there is always some possibility. The final draft will contain information specific to the City of Lodi such as delivery voltage and points of delivery.

The time table is extremely compressed now. WAPA needs the executed contracts returned to them by February 26, 1982. It is their intention to start delivery on March 1, 1982. In addition to the WAPA contract, it will be necessary to adjust our

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PG&E contract to recognize the delivery and billing of WAPA power. The attorney representing the five new city customers (Ukiah, Healdsburg, Lompoc, Alameda and Lodi) has prepared a draft and submitted it to PG&E for execution on behalf of all of the cities under one cover letter. We hope this can be accomplished without unnecessary delay.

PG&E and the Federal Government have a contract in place (commonly known as 2948A) which provides for delivery of the WAPA power to preference customers. At present, the "wheeling charges" are covered in the contract and paid by WAPA and passed through to the City customers within the WAPA rates. As part of the settlement of the Santa Clara case, PG&E recognized and agreed to support the allocation of the 102 MW by WAPA. Therefore, WAPA is meeting with PG&E to iron out any questions regarding their contracts and the City of Lodi's responsibility is merely to arrange the modification to our PG&E contract, similar to the action to provide for delivery of the Northwest Power. A summary of the WAPA contract prepared by Mr. Curry and Mr. Stein was presented for Council's Perusal.

CONTRACT FOR WAPA
ALLOCATIONS
APPROVED

RES. NO. 82-17

CC-90
CC-300

CITY'S PARTICIPA-
TION IN CALAVERAS
PROJECT

CC-90
CC-300

Following Council discussion, on motion of Councilman Katnich, Hughes second, Council adopted Resolution No. 82-17 approving the Contract with the Western Area Power Administration CVP for electric service to the City of Lodi and authorizing the Mayor and City Clerk to execute the Agreement on behalf of the City.

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Hughes, Katnich second, by the following vote voted to increase the City's participation in the NCPA Calaveras Project from 10.37% to 11.44% at an estimated additional cost of \$15,709:

Ayes: Councilmen - Hughes, Katnich,
Murphy

Noes: Councilmen - Pinkerton and
McCarty

Absent: Councilmen - None

FERC DOCKET
NO. ER 81-679

CC-90
CC-300

A report regarding FERC Docket No. ER81-679 was given by City Manager Graves. The City Manager related that pursuant to Section 1.11 of the Commission's Rules of Practice and Procedure and Section 35.17 of the Commission's Regulations under the Federal Power Act, PG&E requested permission to reduce from \$19.8 million to a level of \$9.6 million the March 12, 1982 Phase II increase authorized by the Commission in its October 23, 1981 order in the above mentioned docket. The proposed adjustments result from recent changes in the estimated commercial operation dates for PG&E's Diablo Canyon Nuclear units and Helms Pumped Storage units and the deletion of costs associated with the Cool Water Coal Gasification Program. In addition, certain adjustments have been made in accordance with the provisions of the Economic Recovery Tax Act of 1981.

COUNCILMAN KATNICH
LEAVES MEETING

Councilman Walter Katnich left the meeting at approximately 12:55 a.m.

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PURCHASE OF
VEHICLES
AUTHORIZED

City Manager Graves requested authority to replace two automobiles which are now considered beyond economic repair. The vehicles include one in the Police Department which was considered and approved for inclusion in the budget but was inadvertently left out of the budget submitted to the City Council, and one in the Parks Department which is used by the Park Patrol. The Police vehicle is used for undercover work and administrative travel and the vehicle used by the Park Patrol would be an extremely high mileage car.

On motion of Councilman Hughes, Murphy second, Council authorized the purchase of the following vehicles:

a) Police vehicle	\$8,000.00
b) Park vehicle	<u>\$5,800.00</u>
	\$13,800.00

Following introduction of the matter by City Manager Graves, Council, on motion of Mayor Pro Tempore Murphy, Hughes second, adopted revised job specifications for the Recreation Supervisor position.

ECONOMIC DEVELOP-
MENT ADMINISTRA-
TION EAST AREA
STORM DRAIN
PROJECT

RES. NO. 82-18

A brief report regarding Economic Development Administration funding for the East Area Storm Drain Project was presented by City Manager Graves. Following discussion, with questions being directed to Staff, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-18 authorizing the City Manager to execute on behalf of the City of Lodi applications for the Economic Development Administration East Area Storm Drain Project.

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 1:25 a.m. to 8:00 p.m., February 24, 1982.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk